



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2301709

Applicant Name: Doug Schoemaker of Callison Architects, for Seattle Union Street Association (the Seattle Sheraton Hotel)

Address of Proposal: 1400 6th Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish use for future construction of a 25-story tower addition to an existing hotel (Seattle Sheraton). The project consists of construction of a 25- story, separate tower addition to the existing hotel to add 423 guest rooms on the southerly portion of the site now used for surface parking, plus expansion of the existing ballrooms and additional retail space. The proposal anticipates approximately 282,000 square feet of additional hotel, service areas and retail space on the 88,193 square-foot site.

No additional parking is proposed in addition to the 370 parking spaces already provided below grade on site. The existing parking supply on site would meet the City Land Use Code requirement of 315 spaces. The applicant proposes full-time attendant parking within the existing parking garage which may accommodate up to 540 vehicles on site. (See the discussion under “Parking” within the SEPA Analysis below.)

The development site is comprised of the entire block bounded by 7th Avenue on the east, by 6th Avenue on the west, by Pike Street on the north and Union Street on the south. The subject site is located in a Downtown Office Core 2 zone with a height designation of 300 feet (DOC2-300) and previously developed with The Sheraton Hotel. All the streets surrounding the site are Class 1 pedestrian streets.

The following approvals are required:

Design Review - Chapter 23.41 Seattle Municipal Code (SMC)

SEPA – to approve, condition or deny pursuant to 25.05.660 - Chapter 25.05, Seattle Municipal Code (SMC)

SEPA DETERMINATION:

☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

Additional Information

Project 2301709 was originally given public notice as requiring a variance from SMC 23.54.035 (Loading berth requirements and space standards). As designed, the project provides the required number of loading berths and therefore does not require a variance. The applicant has requested an exception to Loading Berth Length, as provided for in SMC 23.54.035 C2 c(ii). The Director finds, after consulting with the property user, that site design and use of the property will not result in vehicles extending beyond the property line. Four of the loading berths are reduced to a minimum length of 25 feet.

BACKGROUND DATA

Site and Vicinity Description

The subject site is located in a Downtown Office Core 2 zone with a height limit of 300 feet (DOC2-300) and previously developed with The Sheraton Hotel, a 34-story structure with 838 existing guestrooms. The whole block site is bounded by 6th Avenue, Pike Street, 7th Avenue and Union Street. An alley which previously bisected the block in a north-south direction was vacated prior to the construction of the Sheraton Hotel in the early 1980s. All the streets surrounding the site are Class 1 pedestrian streets. The immediate vicinity is characterized by a mixture of older, mid-rise retail-office structures and modern high-rise office buildings. Several of the buildings in the area have upper-level residential condominiums. The site lies one block west of Interstate Highway I-5 and the Washington State Convention and Trade Center. The proposed new hotel tower will be situated across 7th Avenue directly west of the Eagles Auditorium building, a 1914 City of Seattle Historic Landmark structure which houses the ACT theatre.

Proposal Description

The project consists of construction of a second, 22-story, separate-tower addition (above a 3-story podium) to the existing hotel. This would add 423 guest rooms on the southerly portion of the site, an area now used for surface parking. The project also includes the expansion of the existing ballrooms and additional retail space. The proposal anticipates approximately 282,000 square feet of additional hotel, service areas and retail space on the 88,193 square foot site. Currently there are 410 parking spaces on site, with 370 spaces provided below grade and 40 spaces of surface parking. The proposed expansion will occupy the area presently given to surface parking. No additional parking area is proposed in addition to the 370 spaces already provided below grade on site. The applicant proposes, however, full time attendant parking within the existing parking garage, a change which would significantly increase the actual on-site parking capacity.

Public Comments

Public comment was invited at initial Master Use Permit application and at the four design review public meetings. Comments from the Design Review meetings are noted within the Design Review process summaries which follow. Written comments were few and mostly requests only to be made parties of record. A representative of the commercial property directly across Union Street from the proposal raised concerns about the proposed Union Street façade, including among other items its loading dock door and display windows, and how it related to the public plaza directly across the street. None of the comments received raised fundamental objections to the proposed project.

ANALYSIS - DESIGN REVIEW

An Early Design Guidance Meeting, attended by all five of the Design Review Board members for Area 6 (Downtown) was held May 25, 2004.

Architect's Presentation:

Gary Wakatsuki of Callison Architects began by describing the ownership's objectives of developing a "headquarters convention-center hotel" through an expansion of guestrooms and services on the existing site. The statement of program considerations was followed by a presentation of a contextual neighborhood opportunities and an urban design analysis of the vicinity. Three conceptual options for podiums and three conceptual options for guestroom towers were then presented to the Board. Within his presentation the architect identified those Design Review Guidelines for Downtown Development which were considered to be of special relevance to the proposal, namely: B-1, B-3, B-4, C-1, C-3, C-4, C-5 and E-3.

Public Comment

One member of the public, representing the ACT Theatre which is located in the Historically Landmarked Eagles' Auditorium building immediately to the east across 7th Avenue on Union Street, spoke of concerns that the proposed addition would further the isolation of the ACT site. The concern was due, in part at least, to the current neglect by the Sheraton of the pedestrian environment along both 7th Avenue and Union Street. She commented that the proposed retail space at the corner of 7th Avenue and Union Street appeared to be too small, too disconnected and too isolated to be viable. She suggested grave misgivings about the proposed Union Street façade with its loading dock entrance and lack of real connection with the street along a major portion of its length between 7th and 6th Avenues. She suggested the design would further reduce any connectivity between the ACT site and the rest of downtown lying west of the site.

Priorities

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment, the Design Review Board members provided the siting and design guidance

described below. The Board agreed that, in their presentation, the project proponents had identified those Guidelines that were particularly applicable and of critical and highest priority for the site and for the project (B-1, B-3, B-4, C-1, C-3, C-4, C-5, E-3). The Board disagreed, however, that the proponents' analysis and preliminary conceptual designs in every instance adequately dealt with the scope, import or demands of those identified Guidelines. In addition, the Board added Guidelines D-2, D-5, and D-6, not identified by the project's proponents, and indicated these should be given priority and consideration in design development. The Design Guidelines of highest priority to this project are identified by letter and number below and are described in more detail in the City of Seattle's "*Design Review Guidelines for Downtown Development, April, 1999*".

B

Architectural Expression

Relating to the Neighborhood Context

B-1 Respond to the neighborhood context.

Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

The Board indicated that at the next meeting they expected further discussion and additional presentation materials with respect to the surrounding neighborhood and a clearer analysis of how the proposed design responded to this context. In particular, the proponents should provide the Board and public with a large-scale drawing that shows the full array of pedestrian pathways that exist in the multi-block area around the Sheraton. Internal as well as external pathways should be included, and in particular those connected to public benefit features.

B-3 Reinforce the positive urban form & architectural attributes of the immediate area.

Consider the predominant attributes of the immediate neighborhood and reinforce desirable siting patterns, massing arrangements, and streetscape characteristics of nearby development.

The Board acknowledged that the development of retail space at the corner of 7th Avenue and Pike Street was a move in the right direction toward reclaiming some urban form on the site. The Board noted that while the developed portion of the site lacked many aspects of positive urban, street-level pedestrian activities, the broader context and vicinity provide many positive attributes of this urban activity that the existing building and proposed addition should relate to. Chief among these was the public amenity plaza across Union Street at Two Union Square. The Board agreed that the relationship of the proposed addition—base and tower—should be thoroughly and multi-dimensionally analyzed and explored. Results of that study should be presented to the Board at the next presentation. The Board also agreed that the important relationship of the proposed base and tower to the existing Eagles Building needed further analysis and more comprehensive presentation.

B-4 Design a well proportioned & unified building

Compose the massing and organize the publicly accessible interior and exterior spaces to create a well-proportioned building that exhibits a coherent architectural concept. Design the architectural elements and finish details to create a unified building, so that all components appear integral to the whole.

The Board asked for further exploration into whether the architectural massing form of elongated rectangular tower over rectangular base, preferred by the proponent, was not driven too much by the programmatic considerations of loading dock and expansion of the main ballroom. They asked the applicant to study whether other solutions, kinder to the pedestrian street level and capable of acknowledging the Two Union Square plaza wouldn't offer a more promising design.

C

The Streetscape:

Creating the Pedestrian Environment

C-1 Promote pedestrian interaction

Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

Union Street should not be developed as an inactive service frontage with static advertising. It must be designed maximally to engage pedestrians *with the activities occurring within the building*. The design should assure inclusion of street level improvements, including, but not limited to, overhead weather protection, lighting fixtures, street furniture and landscaping, to the blank facades along Pike Street and 7th Avenue in conjunction with any new construction proposed to take place there.

C-3 Provide active-not blank- facades.

Buildings should not have large blank walls facing the street, especially near sidewalks.

The Board noted that the existing Pike Street and 7th Avenue facades are largely blank facades. The existing 6th Avenue frontage is largely given to vehicular concerns; it is not pedestrian friendly and does not impart a sense of pedestrian safety, comfort, delight or interest. The façade along Union Street as presented was largely without character or pedestrian amenity or interest. The Board indicated that they found this unacceptable and noted that Union Street should be viewed as the one opportunity to create a façade that would create an amiable pedestrian environment. That opportunity, the Board noted, should not be squandered.

C-4 Reinforce building entries

To promote pedestrian comfort, safety, and orientation, reinforce the building's entry.

The Board requested that, if the main entry to the hotel were to be relocated further east on Pike Street, the corner of 6th and Pike should be designed as a truly usable and marketable street-level use, one that engages the street and promotes the pedestrian environment.

C-5 Encourage overhead weather protection.

Encourage project applicants to provide continuous, well-lit, overhead weather protection to improve pedestrian comfort and safety along major pedestrian routes.

The Board encouraged providing overhead weather protection wherever possible on each of the four sidewalks surrounding the project site.

D

Public Amenities

Enhancing the Streetscape & Open Space

D-2 Enhance the building with landscaping.

Enhance the building and site with substantial landscaping-which includes special pavements, trellises, screen walls, planters and site furniture, as well as living plant material.

The Board requested the applicant to provide a Landscape Plan that enlivens the pedestrian experience around the block. The Plan should explore ways that the proposed landscaping might work with other elements—lighting and street furniture, for example—to mitigate the blank facades, especially that along 7th Avenue

D-5 Provide adequate lighting

To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building façade, on the underside of overhead weather protection, on and around street furniture, in merchandising display windows, and on signage

A creative lighting treatment, along the 7th Avenue façade in particular, but along each façade, should be installed to make up for the lack of transparency and the inability to offer engagement with pedestrians from the activity or glow from within the structure.

D-6 Design for personal safety & security

Design the building and site to promote the feeling of personal safety and security in the immediate area.

The new street-level façade along Union Street should avoid blank and windowless walls and provide “eyes on the street” by providing real windows and street-level uses which relate the sidewalk to the interior of the building and the interior of the building to the sidewalk.

E

Vehicular Access & Parking

Minimizing the Adverse Impacts

E-3 Minimize presence of service areas

Minimize the visual impact of parking by integrating parking facilities with surrounding development. Incorporate architectural treatments of suitable landscaping to provide for the safety and comfort of people using the facility as well as those walking by.

The Board agreed that the impacts from the loading docks need to be minimized. They observed that it would be a mistake simply to replace the loading docks at the corner of 7th and Pike with a façade along Union Street that is “given away to truck services.” The proponent should explore several conceptual options; these include: reworking the ballroom completely with new service from 7th Avenue; either ramping or moving the trucks via elevator down to an excavated basement at the southeast corner of the site, or locating the truck docks above the retail a level above street level with access off 7th Avenue. These studies should be presented at the next Early Design Guidance meeting.

Summary of Early Design Guidance

Specifically, the Board indicated the following were critical for the success of the project:

- (B-1) The Board wanted further discussion and presentation materials with respect to the surrounding neighborhood and how the proposed design will respond to this context.
- (B-3) The Board wanted to see further analysis and more a comprehensive presentation of the important relationships of the proposed base and tower to the existing Eagles Building and Two Union Square.
- (B-4) The Board requested further explorations into the architectural massing form of an elongated rectangular tower over a rectangular base preferred by the proponent, to see if there might be other solutions, kinder to the pedestrian street level and capable of acknowledging the Two Union Square plaza.
- (C-1) Union Street must be designed maximally to engage pedestrians *with the activities occurring within the building*. The design should assure inclusion of street level improvements, including, but not limited to, overhead weather protection, lighting fixtures, street furniture and landscaping in conjunction with any new construction proposed to take place there.
- (C-4) If the main entry to the hotel is to be relocated further east on Pike Street, the corner of 6th and Pike should be designed as a truly usable and marketable street-level use, one that engages the street and promotes the pedestrian environment.
- (D-2) Provide a Landscape Plan that enlivens the pedestrian experience around the entire block and explore ways that the proposed landscaping might work with other elements—lighting and street furniture, for example—to mitigate blank facades.
- (E-3) Minimize the impact of the loading docks and their access.

Development Standard Departures:

Certain departures from Land Use Code requirements may be permitted as part of the design review process. Departures may be allowed if an applicant demonstrates that a requested departure would result in a development which better meets the intent of the adopted design guidelines (see SMC 23.41.012). At this early stage of the design development for this project the applicant indicated that the project may need to request design development departures for:

- Upper Level Coverage Limits (SMC 23.49.078)
- Setback limits
- Minimum façade transparency
- Blank façade limits

The Board indicated it would entertain the request to grant these departures and its willingness to entertain the granting of other departures which might be identified later, provided the final design would successfully incorporate the design guidelines enumerated above.

The Board requested that the proponent provide at the next meeting of the Board on this project a list of contemplated/requested departures for the project which includes site-specific quantities required by Code and that which is being proposed (based upon the entire site). The full length of all four street frontages should be used in developing the zoning calculations documenting the level of compliance, first for the existing conditions and, secondly, for the proposed alterations.

Additional Information

In addition to the departure information and pedestrian pathway study requested above, the Board requested that the project proponents have available at the next meeting, for informational purposes, plans and sections of floorplates throughout the existing base structure, including the garage areas, and be able to provide details of within-house program operations.

Second Early Design Guidance Meeting:

At a second Early Design Guidance Meeting held June 22, 2004, and attended by all five Board members, the architect reviewed the project and highlighted responses within the design to the Early Design Guidance the Board had given at the May 25th Early Design Guidance meeting.

Architect's Presentation of Design Development

The architect presented plan drawings, elevations, perspective drawings, and a model of the proposed development. While making the presentation the architect indicated that the design, while still meeting the ownership's objectives, differed significantly from the May 25th presentation in the following regards:

- a residential tower of increased height and reduced length along Union Street
- a chamfered setback of the building at the corner of 7th and Union, creating a triangular-shaped public open space
- a very transparent second level of the base along Union Street and of the extension above the entry on 6th Avenue providing ample views into the interior from the street as well as views out to the street
- a retail space of increased ceiling height at the corner of 6th and Pike
- a conceptual "green wall" along 7th Avenue
- an extended lowering of the existing windows along Pike Street to provide for additional inside-outside connectedness, and other amenities along the Pike Street façade, including continuous overhead weather protection and sidewalk plantings to enhance the pedestrian experience
- overhead weather protection over the sidewalks on all four streets

The architect also indicated that the proponent and neighbors from the Act Theatre, the Washington State Convention and Trade Center had met to discuss concerted ways that the pedestrian experience along 7th Avenue might be enhanced.

Public Comment

Members of the public, representing the ACT Theatre and the WSCTC confirmed the beginning of discussions to address the needs and opportunities along 7th Avenue and to affirm the moves being taken in the design of the hotel to enhance the connectedness with these other facilities.

Board Comments and Deliberations

After asking some clarifying questions and taking comments from the members of the Public in attendance, members of the Board commended the design team for the significant effort that had been

made to address the concerns and observations raised by the Board at the May 25th meeting and for the substantial revision in plans that were presented.

In particular, the Board affirmed that the following changes in the presented design were the “right moves” in responding to the guidelines indicated to be of the highest priority at the May 22nd meeting and in responding to the Board’s general guidance given at that meeting:

- the open space at the corner of 7th and Union
- the location and proportions of the tower element
- the conceptual “green wall” intended to mitigate the long, blank façade along 7th Avenue
- the increased floor to ceiling height of the proposed retail space at the corner of 6th and Pike, creating a more viable retail space
- the lowering of the sill height of the windows along Pike Street approximately 30 inches, and the enlivening of the wall and the sidewalk along that façade
- the overhead weather protection at the perimeter around the entire block

The Board offered the following guidance as these elements underwent further design development:

- the conceptual “green wall” along 7th Avenue should be explored both as green and with other conceptual permutations to enliven the pedestrian realm along the entire block; the treatment should lead around the corner and connect with the proposed open space at the corner; include the upper wall and area along the top of the ballroom in the design; the whole block should not be the same thing but should provide for a variety of experiences as pedestrians move between Union and Pike Streets
- maintain the display windows along Union Street at least at the minimum 24-30 inch depth indicated and explore creative ways of lighting these which will be the key to their success
- keep exploring the concept of a water wall at the rear of the open space at the corner of 7th and Union; it adds a dynamic element which begins to define a sense of place
- explore whether the retail space proposed at street level at the corner of 6th and Pike couldn’t borrow more ceiling height with alterations to the space above; explore whether the retail space could wrap around to Pike Street side more perceptively
- explore whether the new hotel entry along Pike Street needs more of a presence and celebration along that façade
- explore whether the existing tree at the south end of the site could be incorporated into the open space at the corner of 7th and Union
- don’t allow obeisance to the existing tower as a design principle prevent the new tower from achieving its full 21st century design potential

Departures

The designers indicated that at this stage of design development the project would need to request design development departures for the following:

- Setback limits
- Minimum façade transparency

- Blank façade limits

The Board indicated its willingness to entertain the requested departures from development standards, provided that the design development continued to respond to the Design Guidelines and to the Board's guidance to date. It was understood the requested departures would be identified more precisely and quantified at the time of the Master Use Permit submittal and presented at the next Recommendation Meeting of the Design Review Board. The Board also requested that the entire 6th Avenue façade should be shown at a greater scale at the next meeting so that the relationships between upper and lower levels, between pedestrian and vehicular entries, between retail spaces and sidewalk, and the integration of all these elements could be more clearly ascertained.

Preliminary Recommendation meeting

A preliminary recommendation meeting was held on November 9, 2004, with three Board members in attendance.

Architects' Presentation

The focus of the meeting was to review the applicant's progress on the design development of the building in response to the Board's previous Early Design Guidance given at the meetings held on March 25th and June 22nd. The applicant presented with the aid of a power-point display, a variety of graphics, and a model to illustrate the design development of the project, including the proposed massing and finish of the proposed new tower.

Time was given to a presentation of conceptual designs for the enhancement of the entirety of 7th Avenue between Union Street and Pike Street. The most notable feature of this presentation, however, was a significant change to the approach of dealing with the 7th Avenue façade and the proposed open space at the corner of 7th Avenue and Union Street. Since the 7th Avenue improvements would involve a variety of players, including the Act Theatre, the Washington State Convention and Trade Center, and possibly others, the applicant suggested that improvements along the edge of the hotel site would be a part of a LID or other vehicle and separated from other elements of the proposal under review.

In addition, the architect presented a couple of schemes in response to the Board's desire to see alternative treatments of the new south tower, and indicated a strong predilection on the part of the ownership and the designers to make a strong visual connection between the new and the old tower. Among the significant evolutions in design were:

- the treatment of the area above the *porte cochere*
- an expansion in size, emphasis and prominence to the proposed new hotel entry off Pike Street
- abandonment of the idea of a "green wall" along 7th Avenue in the light of earlier guidance that the conceptual "green wall" along 7th Avenue should be explored with other conceptual permutations to enliven the pedestrian realm along the entire block; the treatment should lead around the corner and connect with the proposed open space at the corner; include the upper wall and area along the top of the ballroom in the design; the whole block should not be the same thing but should provide for a variety of experiences as pedestrians move between Union and Pike Streets

Public Comment

Fifteen people affixed their names to the sign-in sheet. Members of the public offered a variety of comments on the project as presented, including the following:

- generally confirmed the discussions between neighbors to address the needs and opportunities along 7th Avenue, affirmed and supported some of the moves being taken in the design of the hotel to enhance the connectedness with these other facilities;
- but raised some concerns about the “covering” of 7th Avenue, referring to the covering of Pike Street by the convention center and Union Street by Freeway Park and observing that there were too many covered street in the area already;
- and questioned the desirability of restricting traffic flow on 7th Avenue, at least in day-time hours.
- one observer noted that if it were thought necessary to maintain a more literal connection and reference between the new and old tower, some shift in color, hue or tonality should be imparted to the referential portion of the new tower

Board Comments and Deliberations

After asking some clarifying questions and taking comments from the members of the Public in attendance, the Board commended the design team for the continued efforts made to respond to the concerns and observations raised by the Board at the earlier presentations to the Board.

Among observations, suggestions and guidance, the Board offered the following:

- observed that the proportions of the new tower as it had been refined were just right—it was a modern tower; but one member still questioned the choice to make a literal reference to the old tower in the central portion of the prominent south-facing façade; this was characterized as a lost opportunity to provide a truly modern tower and elegant design
- suggested exploring the inclusion of something at the top of the center portion of the south-facing façade;
- following upon a suggestion during the public comment period, suggested exploring a color tonal change in the pre-cast portion of the new tower to differentiate it from the old
- members of the Board present, with comments above noted, expressed general satisfaction with the direction the design was going
- urged the applicants to keep exploring the concept of a water wall at the rear of the open space at the corner of 7th and Union; it adds a dynamic element which begins to define a sense of place

Departures

As at the Early Design Guidance meetings of the Board, the applicants indicated the project would need to request design development departures for the following:

- Setback limits

- Minimum façade transparency
- Blank façade limits

The Board indicated its willingness to entertain the requested departures from development standards, provided that the design development continued to respond to the Design Guidelines and to the Board's guidance to date. It was understood the requested departures would be identified more precisely and presented at the next Recommendation Meeting of the Design Review Board.

Final Recommendation Meeting

A subsequent Recommendation Meeting was held on January 11, 2005, with three Board members in attendance

Architects' Presentation

The focus of the meeting was a review the applicant's progress on the design development of the building in response to the Board's Early Design Guidance which had been given at the meetings held on March 25, 2004 and June 22, 2004 as well as to the guidance offered at the meeting held on November 9, 2004. The focus of the meeting was to review the applicant's progress on the design development of the building. The applicant presented with the aid of a power-point display, a variety of graphics, and a model to illustrate the design development of the project, including the proposed massing and finish of the proposed new tower.

As had been done at the previous preliminary recommendation meeting, time was given to a presentation of conceptual designs for the enhancement of the entirety of 7th Avenue between Union Street and Pike Street and the pocket park at the corner of 7th Avenue and Union Street. Since the 7th Avenue improvements would involve a variety of players, including the Act Theatre, the Washington State Convention and Trade Center, and possibly others, and would be a part of a Local Improvement District (LID) vehicle, the applicant indicated that improvements along the 7th Avenue façade and street edge of the hotel and improvements to the pocket park site at the corner of 7th Avenue and Union Street had been separated from other elements of the proposal under review. It was the intention of the applicant, with DPD concurrence, to return to the Downtown Design Review Board with details of those elements that pertained to the 7th Avenue and Union Street facades and street edge for recommendation of approval from the Board once the planning for the LID had progressed to a sufficient design development stage.

At the previous meeting, the Board had questioned the choice to make a literal reference to the old tower in the central portion of the prominent south-facing façade of the proposed new tower and a suggestion was made to explore a color tonal change in the pre-cast portion of the new tower to differentiate it from the old. In response, the architect affirmed the strong predilection on the part of the ownership and the designers to make a strong visual connection between the new and the old tower.

Public Comment

Seven members of the public placed their signatures on the sign-in sheet provided for the meeting. Those members of the public who spoke generally approved the project as presented and of the potential for the proposed LID. They applauded the cooperation shown to date between parties to address the needs and opportunities along 7th Avenue; they affirmed and supported some of the moves being taken in the design of the hotel to enhance the connectedness with these other facilities. The desirability of restricting traffic flow on 7th Avenue, at least in day-time hours, was questioned by a member of the public.

Departures

The applicant identified and requested the following departures from design development standards:

- Setback limits-SMC 23.49.076 B, setbacks not within 2-feet of property line
- Minimum façade transparency-SMC 23.49.076 C3-less than 60%
- Blank façade limits-SMC 23.49.076 –exceeding 40% of street façade
- Sidewalk widths-SMC23.49.022-less than minimum standard
- Curbcut-SMC 23.54.030 F-not to exceed 25 feet
- Street level uses-SMC 23.49.025-not to meet 75% minimum
- Overhead Weather Protection-SMC23.49.025 B5-not continuous

Board Comments and Deliberations

After asking some clarifying questions and taking comments from the members of the Public in attendance, the Board commended the design team for the continued efforts to respond to the concerns and observations raised by the Board at the earlier presentations to the Board.

The three members of the Board who were present unanimously **recommended approval** of the project as presented, excluding from their approval that portion of the 7th Avenue façade and portions of the 7th Avenue and Union Street facades and that portion of the development site at the corner of 7th Avenue and Union Street that were part of the scope of the proposed LID. The Board further **recommended approval of granting the departures** from development standards requested by the applicant (and noted above).

In recommending approval of the project, the Board indicated that it was their understanding that the exterior colors and materials for the built project would be within the range of materials and colors presented to the Board at the meeting. It was also understood that any substantial revision in height, bulk or scale, in façade appearances or materials, in architectural details or in landscaping concept, scope, or materials would have to be returned to the Board for their subsequent approval. Conformance of the final design to the substance of the conditions stated below could be certified by the Land Use Planner assigned to the project without returning to the Board for further approval.

In recommending approval of the project as presented, the Board also affirmed their understanding that the plans for the proposed LID, insofar as they touched upon actual improvements to the 7th Avenue façade and the design of the pocket park at the corner of 7th and Union, would be returned to the Board for their recommendation of approval at a later date. Should the LID fail to materialize, or fail to

succeed in its intentions to produce a plan for 7th Avenue and for the pocket park at the corner of 7th and Union, the design of the 7th Avenue façade and the design of the pocket park within the development site at the corner of 7th and Union would be returned to the Board for its directives and guidance, and ultimately for its recommendation of approval to the Director of the Department of Planning and Development. It was the Board's understanding that its recommendation for approval of all other elements of the proposal would be conditioned in the decision of the Director to require such a return to the Board for its approval the plan proposed as the product of the LID or of such elements of the overall design that were relegated to the scope of the LID. In addition, the Board affirmed its continued desire that the applicant should keep exploring, as a key element in the design of the pocket park, a water wall at the rear of the open space, or other substantial water feature, at the corner of 7th and Union.

DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the three Design Review Board members present at the Design Review recommendation meeting and finds that they are consistent with the *City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings* and that the development standard departures presents an improved design solution, better meeting the intent of the Design Guidelines, than would be obtained through strict application of the Seattle Land Use Code.

Therefore, the proposed design is **approved** as presented at the January 11, 2005, Design Review Board meeting, with the recommended development standard departures described above also approved, subject to the Board's recommended design conditions, enumerated below.

ANALYSIS - SEPA

This analysis relies on the SEPA checklist submitted by the applicant on August 16, 2004. This decision also makes reference to and incorporates the project plans and other supporting documentation submitted with the project.

The Seattle SEPA ordinance provides substantive authority to require mitigation of adverse impacts resulting from a project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific adverse environmental impacts identified in an environmental document and may be imposed only to the extent that an impact is attributable to the proposal. Additionally, mitigation may be required only when based on policies, plans, and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675, inclusive, (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state, or federal requirements will provide sufficient mitigation of a significant impact and the decision maker is required to consider the applicable requirement(s) and their effect on the impacts of the proposal.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA

authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*" subject to some limitations. Under specific circumstances (SMC 25.05.665 D 1-7) mitigation can be required.

The project is expected to have both short and long term impacts.

Short-Term Impacts

Construction-Related Impacts

Traffic

It is anticipated that the proposal would require excavation of approximately 35,000 cubic yards of material, none of which is to be stockpiled on site. The 35,000 cubic yards of material would be exported to an as yet undetermined site. Truck trips related to excavation and construction are expected to be spaced in time as they either load material and depart or arrive from various locations. These trips could have a negative affect upon transportation levels of service on the surrounding street and highway system unless carefully scheduled, however. Staging of trucks in immediate site proximity during excavation and concrete pouring has the potential for localized traffic disruptions. It is expected that existing regulatory authority in place with Seattle Department of Transportation (SDOT) would allow for control through permitting review of use of surrounding streets to mitigate these potential impacts.

Public sidewalks are found on four abutting rights-of-way. Since the surrounding downtown streets regularly handle large numbers of pedestrians, it is necessary to use SEPA policy authority to require that predictable paths of pedestrian travel be established and maintained. Sidewalks along the project site shall generally be kept open and safely passable throughout the construction period. Any case for the need for the temporary closure of any or all of the sidewalks surrounding the site are to be disclosed in the Construction Impact Management Plan which must have DPD approval as well as SDOT approval.

Excavation

Excavation of 35,000 cubic yards of earth on site will create potential earth-related impacts. Compliance with the Stormwater, Grading, and Drainage Control Code (SMC 22.800) will require the proponent to identify a legal disposal site for excavation and demolition debris prior to commencement of demolition/construction. Cleanup actions and disposal of contaminated soils on site will be performed in compliance with the Model Toxics Control Act (MTCA; WAC 173-340). Compliance with the Uniform Building Code (or International Building Code) and the Stormwater Grading and Drainage Control Code will also require that Best Management Practices (BMPs) be employed during demolition/excavation/construction including that the soils be contained on-site and that the excavation slopes be suitably shored and retained in order to mitigate potential water runoff and erosion impacts during excavation and general site work.

Groundwater, if encountered, will be removed from the excavation by sump pumping or by dewatering system and routed to existing storm drain systems. A drainage control plan, including a temporary, erosion and sedimentation control plan and a detention with controlled release system will be required with the building permit application. In addition, a Shoring and Excavation Permit will be required by SDOT prior to issuance of a building permit. Compliance with the requirements described above will provide sufficient mitigation for the anticipated earth-related impacts.

Noise-Related Impacts

Residential, office, and commercial uses in the vicinity of the proposal will experience increased noise impacts during the different phases of construction (demolition, shoring, excavation). Compliance with the Noise Ordinance (SMC 22.08) is required and will limit the use of loud equipment registering 60 dBA or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.

Although compliance with the Noise Ordinance is required, due to the presence of some nearby residential uses, additional measures to mitigate the anticipated noise impacts may be necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance may be necessary. Therefore, as a condition of approval, the proponent will be required normally to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 9:00 p.m. and on Saturdays between 9:00 a.m. and 6:00 p.m. (Work would not be permitted on the following holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day; if the contractor chooses to work on the following holidays in the City of Seattle calendar, they may be treated as regular weekdays, with work restricted to the hours of 7:00AM to 6:00 PM: Martin Luther King, Jr. Birthday, Presidents' Day, Veterans' Day.)

That having been said, it is also recognized that some construction-related activities (e.g., excavation and sub-grade pouring of concrete, with proper noise-management technologies and processes in place, may reduce the overall impact of short-term construction noise by substantially shortening the construction timetable. Such a nighttime construction schedule might also serve to lessen traffic impacts and to shorten truck turn-around times during the excavation phase of construction. Any change in the allowable hours of construction would require pre-start approval by means of the Construction Impact Management Plan to be approved by both DPD and SDOT. Submission and approval of the Construction Impact Management Plan shall be required before issuance of any building permits for the site.

Air Quality Impacts

Construction will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the construction area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. Puget Sound Clean Air Agency urges that all diesel construction

equipment used in this expansion in downtown Seattle make use of available ultra-low sulfur diesel fuel (less than 15% sulfur) as well as diesel retrofit or original equipment of oxidation catalysts or particle filters. In addition, compliance with the Puget Sound Clean Air Agency regulations will require activities, which produce airborne materials or other pollutant elements to be contained within temporary enclosures. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne.

The Street Use Ordinance also requires the use of tarps to cover the excavation material while in transit, and the clean up of adjacent roadways and sidewalks periodically. Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to demolition. Thus, as a condition of approval prior to demolition, the proponent will be required to submit a copy of the required notice to PSCAA. If asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Long-Term Impacts — Use-Related Impacts

Land Use

The proposed project, with its right-of-way improvements, overhead weather protection, street-level retail uses, entries along sidewalks, and lodging use is consistent with the City of Seattle Comprehensive Plan (1994).

Historic Preservation

Since the proposed development is directly across 7th Avenue from the Eagles Auditorium Building (currently the ACT theatre), a City of Seattle Landmark structure, the project has been referred to the City's Historic Preservation Officer for review. It is understood that improvements adjacent to the Eagles Auditorium Building in the 7th Avenue right-of-way, as proposed through the 7th Avenue LID, will undergo Design Commission approval and Landmarks Board review and approval as appropriate. Prior to alterations or significant changes being made to the existing Landmark structure itself, the proponent must obtain a Certificate of Approval for such changes from the Landmarks Preservation Board. No further mitigation under SEPA authority is warranted or necessary.

Transportation

The elements of the transportation study prepared by the TRANSPO group for the proposal were determined by DPD to establish the study area, and the key traffic issues. The TRANSPO report evaluates the net additional impacts of the proposed project.

Traffic

Over the long-term, vehicular and pedestrian traffic will increase as a result of this proposal. Demand upon general area transportation systems, including transit, will also increase. A Transportation Impact Study by The Transpo Group (*Transportation Impact Analysis*, August, 2004) is included in the file for this project. The analysis was predicated upon an expansion which would consist of an additional

423 guest rooms in the proposed new tower. Seven intersections were studied. In project year 2007, inclusion of project related traffic would add an estimated 1,210 new daily vehicle trips to the surrounding street system, 95 in the AM peak hour and 100 in the PM peak hour. Operations would continue to operate at the same levels of service at the studied intersections, with the exception of Pike Street/6th Avenue which degrades from LOS A to LOS B in the AM peak hour due to the delay being in close proximity to the LOS threshold.

The intersection of 7th Avenue/Union Street would operate at LOS E in the PM peak hour, with or without the project. According to the TRANSPO study, the project would theoretically add a small amount of delay at the study intersection. A one-second green-time reallocation would result in a reduced project impact, below the City's threshold for significance. The project is conditioned (see below, SEPA Conditions) to co-ordinate with SDOT to provide a one-second green-time reallocation for the signal at 7th Avenue/ Union Street.

Transportation Concurrency

The City of Seattle has implemented a Transportation Concurrency system to comply with one of the requirements of the Washington State Growth Management Act (GMA). The system, described in DPD's Director's Rule 4-99 and the City's Land Use Code is designed to provide a mechanism that determines whether adequate transportation facilities would be available "concurrent" with proposed development projects. The five evaluated screen-lines included in the TRANSPO analysis would have v/c ratios less than the respective LOS standard and the addition of peak hour traffic generated by the proposal would meet the City's transportation concurrency requirements.

Parking

With the proposed development, 40 surface parking spaces would be eliminated and no additional parking would be constructed. The existing 370 stall below-grade parking garage would be operated with attendant parking, at least for event parking. According to the TRANSPO Seattle Sheraton Hotel Expansion Transportation Impact Analysis (August 2004) study, attendant parking would accommodate up to 540 vehicles. Based upon estimates and assumption contained within the TRANSPO analysis, even with the additional 423 guestrooms, on days when other events or meetings are not being held on the hotel premises, the existing supply of striped parking in the underground garage would accommodate peak parking needs. If the meeting rooms are not being used, but an average size event is being held, the attendant parking arrangement in the existing parking garage should accommodate the peak parking demand. When meeting rooms are being used in addition to an average size event being held, the attendant parking configuration would be required at a minimum and some spillover parking would be expected.

No SEPA authority is provided to mitigate the impact of development or parking availability in the downtown zones, per SMC 25.05.675P2b(i).

DECISION – SEPA

This decision was made after review of the SEPA checklist as well as other information on file with the Department. DPD finds that proposed development including mitigation measures proposed by the applicant or imposed as conditions of the Master Use Permit would be reasonably compatible with existing land uses and the City's land use and environmental policies, and should be conditionally approved.

CONDITIONS – SEPA

Prior to issuance of Master Use Permit

1. Provide within the MUP plan set a sheet(s) showing the alternative of Code-conforming attendant parking spaces within the below-grade garage

Prior to issuance of any Construction, Shoring or Grading Permits

2. The applicant shall submit for review and approval a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. The Plan should be incorporated into any Construction Impact Management Plans required to mitigate any short term transportation impacts that result from the project.
3. The applicant shall submit for review and approval a Construction Impact Management Plan to the Department of Planning and Development for concurrent review and approval with Seattle Department of Transportation to mitigate these impacts. The plan shall identify management of construction activities including construction hours, parking, traffic and issues concerning street and sidewalk closures.
4. Submit a copy of the PSCAA notice of construction.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

5. Unless otherwise modified in an approved Construction Impact Management Plan, the applicant shall be required to limit periods of all construction to between the hours of 7:00 a.m. and 6:00 p.m. on non-holiday weekdays and between 9:00 a.m. to 6:00 p.m. on non-holiday Saturdays. The no-work holidays are the following: New Years Day, Memorial Day, Independence Day,

Labor Day, Thanksgiving Day, and Christmas Day. The following holidays in the City of Seattle calendar shall be treated as regular weekdays, should the contractor choose to perform construction-related activities on these days: Martin Luther King, Jr. Birthday, Presidents' Day, Veteran's Day. Activities which will not generate sound audible at the property line such as work within enclosed areas, or which do not generate even moderate levels of sound, such as office or security functions, are not subject to this restriction.

6. The sidewalks along the project site in the Pike Street, Union Street, 6th Avenue and 7th Avenue street rights-of-way shall be kept open and made safely passable throughout the construction period. A determination by SDOT that closure of this sidewalk is temporarily necessary, for structural modification or other purposes, shall overrule this condition.

Prior to Issuance of a Certificate of Occupancy for the Tower Portion of the Development

7. The following improvements to the intersection of 7th Avenue/Union Street, as approved and/or modified by SDOT, must be in place and functioning, as deemed feasible by SDOT, before occupancy of the tower portion of the new building: an adjustment to the green time allocation to the traffic signal at the intersection in order to lessen the project's impact in seconds of delay as referred to in the TRANSPO *Seattle Sheraton Hotel Expansion Transportation Impact Analysis* of August 2004.

CONDITIONS - DESIGN REVIEW

Prior to issuance of Certificate of Occupancy

8. The applicant shall apply to DPD for a permit for those improvements to the 7th Avenue façade of the Sheraton Hotel and the pocket park at the southeast corner of the site as the design of these improvements has been developed within the overall design plan of the LID. Such application shall be subject to Design Review and plans will be presented before the Downtown Design Review Board for recommendation of approval.
9. If for any reason the LID has not gone forward towards completion, the applicant shall apply for a permit and submit plans for 7th Avenue façade enhancements and improvements to the proposed pocket park at the southeast corner of the site, which application shall be subject to Design Review. The proposal will be presented to the Downtown Design Review Board for recommendation of approval. The proposal shall include as an essential and indispensable element of the design a water wall or other substantial water feature, at the corner of 7th and Union.

Signature: (signature on file) Date: June 16, 2005
Michael Dorcy,
Senior Land Use Planner
Department of Planning and Development

MMD:rgc

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